

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-10449-2018

Date of decision: 15.10.2018

Geeta Rani and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vinod Kumar, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Navdeep Monga, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of DDR No.34 dated 26.10.2017 in case FIR No.56 dated 21.10.2017, under Sections 452, 324, 427, 148, 149 of the Indian Penal Code (for short 'IPC') at Police Station Talwara District Hoshiarpur and subsequent proceedings on the basis of compromise dated 20.10.2017 (Annexure P-2).

In the present case, the DDR was lodged on the statement of Kamlesh wife of Kesar Kumar. Now, dispute between the parties has been resolved.

Vide orders dated 13.03.2018, 09.05.2018 and 31.07.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial Magistrate Ist Class, Mukerian wherein it has been reported that statements of the parties have been recorded and compromise entered

between the parties is genuine and without any kind of undue influence or pressure.

Learned counsel for the State as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant), have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the DDR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in **'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543** and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed and DDR No.34 dated 26.10.2017 in case FIR No.56 dated 21.10.2017, under Sections 452, 324, 427, 148, 149 IPC at Police Station Talwara District Hoshiarpur and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioners.

October 15, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no